



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13  
W. Lauer  
1/2/04

re Application of:

Ralph E. Sipple et al.

Serial No.: 09/304,406

Examiner: H. Lonsberry

Filing Date: May 4, 1999

Group Art Unit: 2611

For: VIDEO-ON-DEMAND TRANSACTION SERVER

Docket No.: 33012/263/101

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**

JAN 16 2004

Technology Center 2600

Dear Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, as "Express Mail Post Office to Addressee" Mailing Label No. EV 332 554 375 US

1-12-04

  
Carolyn I. Erickson

**TIME REQUEST IS BEING MADE**

2. This request is being submitted (check appropriate item(s) below):
  - i. ☒ Prior to abandonment of the application

- ii. ☐ Payment of the issue fee  
    ☐ Prior to payment of issue fee  
    ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences  
    ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or  
    ☐ Commencement of a civil action under 35 U.S.C. 146  
    ☐ Prior to the filing of such appeal or commencement of civil action  
    ☐ Such appeal or commencement of civil action has been terminated

#### ENCLOSURES

3. Enclosed herewith is/are:

- ☐ An information disclosure (37 C.F.R. § 1.98)  
    ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ A preliminary amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

#### FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

- ☐ Small entity (and status is still as small entity)  
    \$385.00
- ☒ Other than a small entity  
    \$770.00

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

CLAIMS AS FILED						
	(1)	(2)	SMALL ENTITY		OTHER	
FOR:	# FILED	# EXTRA	Rate	Fee	Rate	Fee
BASIC FEE				\$385		\$770
TOTAL CLAIMS	20-20 =	0	x9=	\$	x18=	\$ 0
INDEPENDENT CLAIMS	4 -3 =	1	x43=	\$	x86=	\$ 86
( ) MULTIPLE DEPENDENT CLAIM PRESENTED			+145=	\$	+290=	\$ 0
TOTAL			\$		\$856	

(complete (c) or (d), as applicable)

(c) ☐ No additional fee is required.

OR

(d) ☒ Total additional fee required is \$ 86.00.

#### EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension for (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$420.00	\$210.00
<input type="checkbox"/> three months	\$950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$\_\_\_\_\_ is deducted from

the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 110.00

OR

- (b) ☐ Applicant(s) believe(s) that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE(S) DUE**

7. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e))	\$ <u>770.00</u>
Fee(s) for additional claims (if any) (§ 1.16(b) - (d))	\$ <u>86.00</u>
Extension of time fee (if any) (§ 1.17(a) (1) - (4))	\$ <u>110.00</u>

Total Fee(s) Due \$ 966.00

**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

- ☒ Check is attached for the sum of \$ 966.00
- ☐ Charge Account 14-0620 the sum of \$
- ☒ Please charge any deficiencies or credit any over payment to Deposit Account 14-0620.

**INVENTORSHIP**

9. This application as amended names as inventors:

- ☒ the same inventors as previously designated for the claims.
- ☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not

- inventors of the invention now being claimed.
- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:
- ☐ being filed
- ☐ been filed

**DEFERRAL OF EXAMINATION**

10. ☐ A request for deferral of examination accompanies this request for continued examination.

Respectfully submitted,

Ralph E. Sipple et al.

By their attorney

Date

Jan 12, 2004

  
Wayne A. Sivertson

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